

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

_____)	
CHRISTOPHER TASHJIAN,)	
Plaintiff,)	
)	
v.)	C.A. No. 15-cv-359-M-LDA
)	
TOWN OF CUMBERLAND, et al.,)	
Defendants.)	
_____)	

ORDER

In this employment discrimination case, Defendants move to compel (ECF No. 18) the production of Christopher Tashjian's medical records from his psychiatrist and mental health counselor. Defendants claim that Mr. Tashjian put his mental state into issue when he alleged "emotional distress, . . . worry, loss of enjoyment of life" ECF No. 1-1 at 4, ¶ 36. Mr. Tashjian objects, arguing that the simple inclusion of generalized emotional damages in a complaint does not give rise to the production of confidential mental health care records. ECF No. 20 at 4. Besides, he asserts, he gave Defendants a one-page summary of the records. *Id.* at 3.

The problem with Mr. Tashjian's argument is that his complaint does not make a *generalized* allegation of emotional damage – the allegation is quite specific and targeted directly to Defendants' conduct on which his lawsuit is based. Mr. Tashjian admits that "he sought mental health treatment from a psychiatrist, as well as mental health counselling from [a counselor], *as a result of the*

Defendants' wrongful actions" *Id.* at 2-3 (emphasis added). Therefore, the Court finds that Defendants are entitled to the records, subject to a confidentiality order.

Defendants' Motion to Compel (ECF No. 18) is GRANTED.

IT IS SO ORDERED.

A handwritten signature in blue ink, reading "John J. McConnell, Jr.", written over the text "IT IS SO ORDERED." The signature is fluid and cursive, with a long horizontal line extending to the left.

John J. McConnell, Jr.
United States District Judge

May 8, 2017